

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

HENRY WILLIAMS,	:	CIVIL ACTION NO. 1:01-CV-2271
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
ROBERT S. BITNER, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 9th day of May, 2005, upon consideration of defendants' "unopposed" motion for stay pending appeal (Doc. 82),¹ and it appearing that defendants' appeal challenges the denial of qualified immunity, see Mitchell v. Forsyth, 472 U.S. 511, 526 (1985) ("The entitlement is an immunity from suit rather than a mere defense to liability; and like an absolute immunity, it is effectively lost if a case is erroneously permitted to go to trial."), it is hereby ORDERED that the motion (Doc. 82) is GRANTED. Proceedings in the above-captioned case are STAYED pending issuance of the mandate of the Court of Appeals for the Third Circuit with respect to defendants' appeal (Doc. 77).

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

¹ The motion does not include a certificate of concurrence or nonconcurrence, as required by Local Rule 7.1, but the court construes defendants' use of the term "unopposed" as a representation that plaintiff's concurrence in the motion was sought and obtained.